

REMARKS

The Examiner is thanked for the due consideration given the application. The specification has been amended to improve the language.

Claims 1-20 are pending in the application. Claims 10-20 are newly presented. Support for new claims 10-20 can be found in the specification at page 7, lines 18-24 and in claim 4.

No new matter is believed to be added to the application by this amendment.

Rejections Based on KOHNO

Claims 1-5, 7 and 8 have been rejected under 35 USC §103(a) as being unpatentable over KOHNO (U.S. Publication 2002/0057799) in view of ROSEN et al. (U.S. Publication 2003/0001904). Claim 6 has been rejected under 35 USC §103(a) as being unpatentable over KOHNO. These rejections are respectfully traversed.

The present invention pertains to a server for delivering content, such as movies, to users through a network that is illustrated, by way of example, in Figure 1 of the application, which is reproduced below.

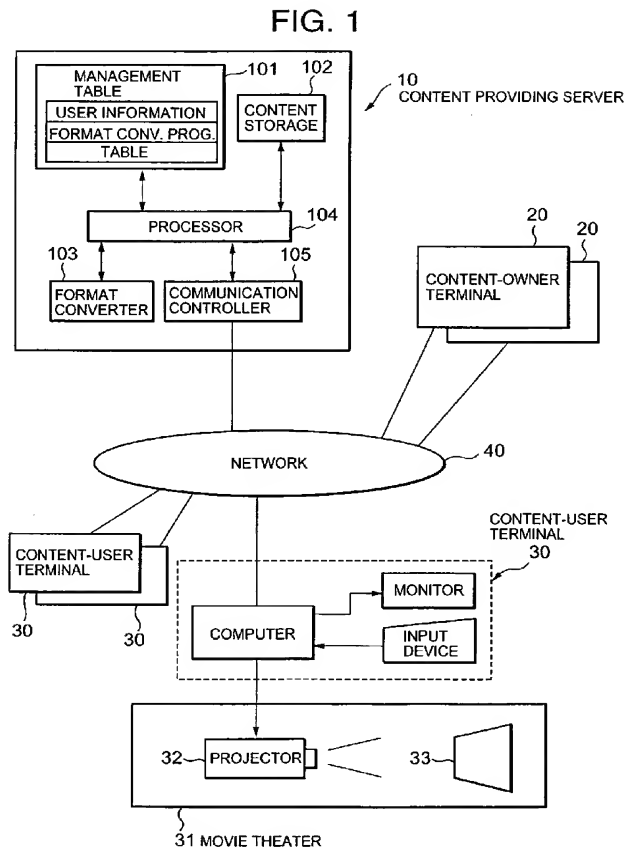
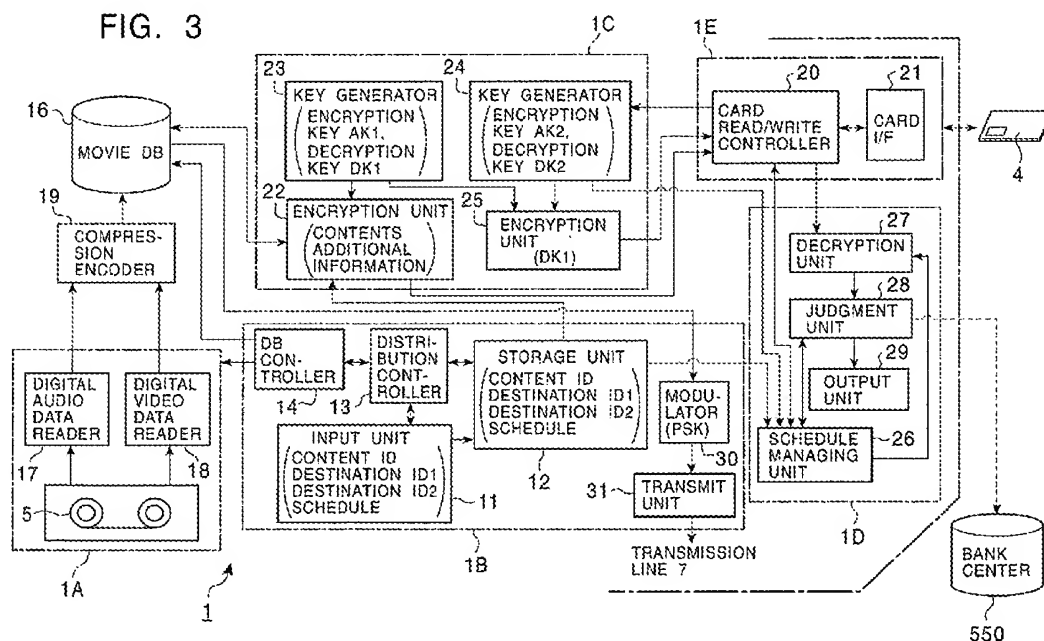


Figure 1 shows a content providing server that includes a management database 101 including a first memory for user information and a second memory for format conversion programs. The content, i.e., the movie itself, is separately stored in the content storage device 102, which can be a hard disc drive.

Claim 1 of the present invention recites: "a first memory for storing user information corresponding to each of the users, the user information indicating at least content replaying environment of the user;" and "a second memory for storing a plurality of format conversion programs each corresponding to a plurality of predetermined content replaying environments." The other independent claims of the present invention contain similar

recitations. Also, new claims 10-20 further delineate, in part, the difference between the first and second memories and the content storage device, i.e., "content storage section."

KOHNO pertains to a data delivery system. The Official Action refers to Figure 3 of KOHNO, reproduced below, for teachings pertaining to memories.



The Official action refers to storage unit 12 as being equivalent to the first memory for storing user information.

The Official Action asserts that movie data base 16 is being equivalent to the second memory for storing format conversion programs.

The Official Action refers to the first 4 lines of paragraph 0274 of KOHNO, which states: "The digital video data and the digital audio data read from the movie film 5 are

supplied to a compression coder 19 and converted into content data in a predetermined format."

The Official Action refers to paragraph 0276 of KOHNO, which states: "The content data generated by the compression coder 19 is stored in the movie database 16." The Official Action also refers to paragraph 0277 of KOHNO, which states: "That is, in the server 1, a movie to be distributed is converted, by the film scanner 1A and the compression encoder 19, into the form of content data and is stored in the movie database 16."

As a result, movie database 16 of KOHNO clearly only stores movie data and fails to store "format conversion programs each corresponding to a plurality of predetermined content replaying environments," such as is set forth in the independent claims of the present invention.

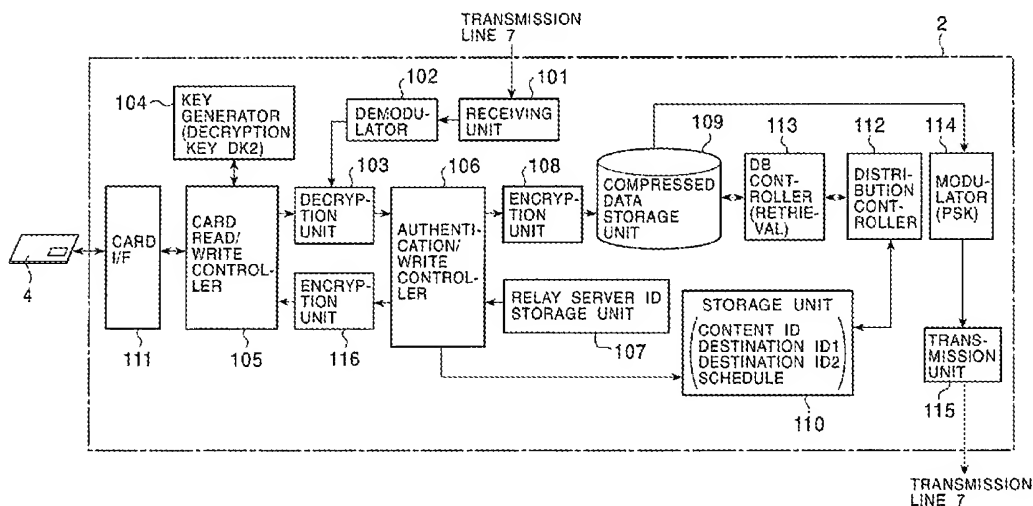
In contrast, movie data storage in the present invention is not in the second memory, but in the content storage device 102.

Also, the compression encoder 19 of KOHNO is clearly a well known data compressor to maximize disc space usage by compressing the data. As a result, the compression encoder 19 also fails to store "format conversion programs each corresponding to a plurality of predetermined content replaying environments."

The Official Action acknowledges that KOHNO fails to teach a format conversion selector. The Official Action then turns to ROSEN et al. However the teachings of ROSEN et al. fail to address the deficiencies of KOHNO discussed above.

Regarding claim 6, the Official Action asserts that the compressed data storage unit 109 in figure 5, reproduced below, can be analogized to the second memory of the present invention.

FIG. 5



However, this compressed data storage unit 109 is similar to the movie database 16 in Figure 3 of KOHNO, discussed above, and for the same reasons is not comparable to the second memory containing format conversion programs of the present invention.

As a result, one of ordinary skill would fail to produce independent claims 1 or 7 of the present invention from a knowledge of KOHNO and ROSEN et al. One of ordinary skill would fail to produce independent claim 6 of the present invention from

a knowledge of KOHNO. A *prima facie* case of unpatentability has thus not been made. Claims depending upon claims 1, 6 or 7 are patentable for at least the above reasons.

These rejections are believed to be overcome, and withdrawal thereof is respectfully requested.

Rejections Based On PARKER et al.

Claim 8 has been rejected under 35 U.S.C. 103(a) as being unpatentable over PARKER et al (US Publication 2002/0117828 (in view of ROSEN et al.)). Claim 9 has been rejected under 35 U.S.C. 102(e) as being anticipated by PARKER et al. These rejections are respectfully traversed.

PARKER et al. is the publication of US Application No. 10/319,985, and was filed in the United States on December 16, 2002. In comparison, the present application claims priority Japanese Application 2002-282702 which was filed on September 27, 2002. As a result, the present invention has earlier priority than PARKER et al.

In order to perfect priority, a verified translation of Japanese Application 2002-282702 will follow to thus remove PARKER et al. as prior art.

These rejections are believed to be overcome and withdrawal thereof is respectfully requested.

CONCLUSION

The Examiner is thanked for considering the Information Disclosure Statements filed September 29, 2003, March 10, 2005, July 21, 2005 and February 14, 2007, and for making initial PTO-1449 Forms of record in the application.

Prior art cited but not utilized is believed to be non-pertinent to the instant claims.

It is believed that the rejections have been overcome, obviated or rendered moot and that no issues remain. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/Robert E. Goozner/
Robert E. Goozner, Reg. No. 42,593
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REG/jad/fb